

Montana Transportation Commission

September 8, 2005 meeting

Community Hall, 420 Highway 2 ~ East Glacier MT

In attendance:

Bill Kennedy, Transportation Commission Chair
Nancy Espy, Transportation Commission Vice Chair
Kevin Howlett, Transportation Commissioner
Rick Griffith, Transportation Commissioner
Deb Kottel, Transportation Commissioner
Jim Lynch, Director – Montana Department of Transportation (MDT)
Jim Currie, MDT Deputy Director
Tim Reardon, MDT Chief Counsel
Sandra Straehl, MDT Rail, Transit & Planning Administrator
Loran Frazier, MDT Chief Engineer
Janice Brown, FHWA Division Administrator
Mike Duman, Assistant FHWA Division Administrator
Lorelle Demont, Transportation Commission Secretary

Please note: the complete recorded minutes are available for review on the commission's website at http://www.mdt.state.mt.us/trans_comm/. You may request a compact disc (containing the audio files, agenda, and minutes) from the transportation secretary at (406) 444-7200 or ldemont@mt.gov. Alternative accessible formats of this document will be provided upon request. For additional information, please call (406) 444-7200. The TTY number is (406) 444-7696 or 1-800-335-7592.

Chairman Kennedy called the meeting to order at 8:00 am.

The pledge of allegiance was followed by an invocation by Commissioner Howlett.

Agenda item 2: St. Mary off-system bridge construction

Straehl said this has to do with the addition of an off-system bridge, the St. Mary Siphon Bridge located on local route L18224 about seven miles northeast of Babb in Glacier County, to the program. The project will be funded through an earmark identified in the recent federal transportation bill, SAFETEA-LU. Matching funds will be required from a source other than the State Special Revenue Fund. We would like to move as expeditiously as possible with this project because there are other elements of work related to the St. Mary Canal rehabilitation project that depend on this bridge being in place and built to a sufficient standard that it can bear heavy vehicles.

Commissioner Howlett asked about avoiding duplication of effort between the different entities that are involved in this work.

John Ray, Glacier County Commissioner, said we had an engineering firm – Great West Engineering – ready to start doing the boring etc. and it sounds like we will have to start over.

Lynch said the state has different requirements under MEPA and NEPA than the county does. If the county does work that we can use and meets requirements, etc., we certainly wouldn't duplicate work for the sake of duplicating work.

Commissioner Howlett said the work lies within the Blackfeet Reservation and the tribes have some unique kinds of processes themselves.

Commissioner Ray said he was concerned that with the different requirements that a different engineering firm might be required; we want them to remain the engineer on the project.

Commissioner Howlett encouraged continuing cooperation between the entities involved.

Currie said once the commission approves this project, we will hire a consultant. We have to hire those by certain rules and we have a board that makes the final selection. I sit on that board as does Loran Frazier. We will weigh very heavily Great West's involvement with and knowledge of this project

Chairman Kennedy asked if the preliminary design could be brought back to the commission. Lynch clarified that the siphon project will be completely separate from the new bridge, which will also be in a different location.

Commissioner Kottel moved to accept staff recommendations to approve preliminary engineering for the St. Mary bridge project in Glacier County using earmarked funds from SAFETEA-LU, contingent upon the non-federal matching share for this project being provided from a source other than the State Special Revenue Fund; Commissioner Griffith seconded the motion. All five commissioners voted aye.

Agenda item 3: Bank stabilization and protection of US Highway 89

This project is related to the earmark for the St. Mary's water distribution infrastructure project. This particular work will provide for bank stabilization in the vicinity of Swift Current Creek and Boulder Creek and sediment control of St. Mary Lake. There is not a design solution at this point; we are requesting preliminary engineering only to begin this project. We will come back to the commission after the environmental review has been completed and identified a preferred alternative. This project is contingent upon matching funds being identified from a source other than the State Special Revenue Fund.

Commissioner Kottel moved for approval of the bank stabilization and protection of US Highway 89 project to the program using earmarked funds from SAFETEA-LU, pending matching funds from a source other than the State Special Revenue Fund; Commissioner Espy seconded the motion. All five commissioners voted aye.

Commissioner Griffith asked where the matching funds would come from. Straehl responded that it's possible \$100,000 may be available from the Montana Department of Natural Resources available through the Treasure State Endowment Program (TSEP).

Agenda item 4: Enhancement project on MDT right of way

Twin Bridges bike/pedestrian path

This enhancement project will design and construct approximately 3800 lineal feet of shared use path. The path will start at the Beaverhead Bridge as one enters Jessen Park, traveling west along the Beaverhead River to the end of the park. It will then cross Montana 41 (P-49) and continue west along the south side of MT 41 turning south at the west entrance into the Madison County Fairgrounds. All work will be in accordance with current design standards and ADA requirements.

Chairman Kennedy asked what the intersection with MT Highway 41 would look like. Straehl said there will be signs and paint striping to note the intersection.

Commissioner Griffith moved to accept staff recommendations to approve the addition of this CTEP project to the program; Commissioner Espy seconded the motion. All five commissioners voted aye.

Agenda item 5: Proposed Helena area Urban Highway System addition and functional classification revisions

Straehl said this is a request to change the functional classification and system designation with roads that are associated with the south Helena interstate interchange. Why do we need to go through this exercise? To recognize the new functions the roads will provide after the interchange is constructed so they become eligible for the investment of federal-aid funds in their construction. These roads will provide the linkage that will connect the interchange

with medical centers with growing residential neighborhoods, and with high-growth areas in Montana City and Jefferson County.

Functional class is a federal action, therefore these actions are contingent upon FHWA approval of the functional classification revisions.

In addition to state and federal involvement, three governments are involved: the city of Helena, Lewis and Clark County and Jefferson County. The tentative ready date for the project is June of 2006, with construction expected to start in the middle of next summer. All the governmental partners are working cooperatively towards an overall funding package.

There is a road that's going to be constructed as part of the interchange project called Colonial Drive, Capitol Drive and old highway 282. The functional classification change would turn the extension from Colonial Drive all the way down to the connection with the crossover on 282 into major collector status to create eligibility for Federal-aid. More of Colonial Drive (from Broadway Avenue to the urban limits, as shown in yellow on the map) would be part of the Urban System which will allow it to become part of the Helena area urban funding contribution for the overall project. The urban boundary itself would not change although it may change after the next census.

Lynch said this project is unique in the level of government involvement as well as the private partnership.

Straehl said the funding agreement is nearly complete. Some earmark monies will be made available in SAFETEA-LU for this interchange. The city will be borrowing up to the five-year maximum of urban funds as per commission policy 6.

Chairman Kennedy asked Ron Alles, Chief Administrative Officer for Lewis and Clark County if he had any comments. Alles said this has been quite an experience. We are ready to move on this project. The supplemental funding is there. We would like to see the interchange under construction next summer. The hospital is putting in millions of dollars worth of improvement in anticipation of the project. This new interchange will also lessen impacts on the capital interchange, which is waiting for improvement.

Commissioner Griffith asked who has paid for the work done on the project so far. Alles said the private enterprise has done most of it. The dirt work that's underway is on private property; it is not part of the interchange construction. Straehl confirmed that highway 282 doesn't go through the subdivision.

Lynch said we just received the plan from the private engineering firm.

Commissioner Kottel moved to accept staff recommendations to approve the recommended functional classification and Urban Highway System changes along the frontage road corridor extending from Colonial Drive in Helena south to Jackson Creek Road in Jefferson County, pending FHWA approval:

- Revise the functional classification of Colonial Drive from Winne Avenue to the urban limits from a local road to an urban collector.
- Revise the functional classification of Capitol Drive from the urban limits to Old Highway 282 from a local road to a rural major collector, including the crossroad connection to the new interchange ramps.
- Revise the functional classification of Old Highway 282 from Capitol Drive to Jackson Creek Road from a rural minor collector to a rural major collector.
- Add Colonial Drive between Broadway Avenue and the urban limits to the Urban Highway System.

Commissioner Espy seconded the motion. All five commissioners voted aye.

Agenda item 6: Special speed zones

a. Secondary 225 – Bootlegger Trail

- b. MT 200 – Plains West
- c. Secondary 503 – Foy's Lake after study
- d. US-93 – Elmo
- e. MT 200 – Trout Creek

Currie said that this is the first time we are bringing a recommendation to the commission that does not have support from the local government. He reviewed the process to explain how that comes about:

When we receive a request from a local government, we go out and do what's called a traffic and engineering study. We follow a model that's used nationwide. It uses things like the 85th percentile and the level of friction adjacent to the road. We make a recommendation to the commission based on that model. There is some subjectivity, but not a great deal, and we work closely with the local government to come to consensus. You as a commission do not have to make a decision based on that recommendation; you make a decision taking that recommendation into consideration, along with the political and human side. We don't often bring recommendations to you where the local government doesn't agree with our recommendation, but today we have two that fall into that category.

Frazier added that we try to take the subjectivity out by doing a statistical analysis. We try to make a science out of something that is not totally scientific, to try and bring some consistency to our approach. Frazier reviewed the following recommendations:

Secondary 225 – Bootlegger Trail (Cascade County)

- ° A 45 mph speed limit beginning at the intersection with US 87 and continuing north to station 12+00 on project S 312(5), an approximate distance of 1,200 feet.

MT 200 – Plains West (Sanders County)

Frazier noted that Sanders County is very pleased with the department's recommendation:

- ° A 45 mph speed limit as currently posted beginning at station 154+00, project F 6-1(18) (400 feet east of the intersection with Lewellen St.) and continuing west to station 142+00, an approximate distance of 1,200 feet.
- ° A 55 mph speed limit beginning at station 142+00, project F 6-1(18) (800 feet west of the intersection with Lewellen St.) and continuing west to station 119+00, an approximate distance of 2,300 feet.
- ° A 65 mph speed limit beginning at station 119+00, project F 6-1(18) and continuing west to station 97+00 (500 feet west of the intersection with Airport Rd.), an approximate distance of 2,200 feet.

Secondary 503 – Foy's Lake (Flathead County)

No action is required on this item. The previous commission asked us to do a follow-up on the seasonal change in speed limit when the characteristics of the traffic change during the summer. What we learned is that people react more to the activity around the lake than to the signs.

Lynch confirmed that the lake is used heavily by the folks in Kalispell and there is not a lot of parking. It gets a tremendous amount of pressure and there are frequently young children running across the road.

Chairman Kennedy asked if it would be possible to incorporate the idea of a temporary speed zone and bouncing ball lights – such as may be seen in a school zone during school hours – on weekends where certain roads are very busy. The snap shot that is taken during a speed study may not take into consideration very busy times, such as area festivals. Lynch said local governments may request a temporary reduced speed limit for special events. If we grant the request, we also go out and post signs to denote the temporary limit.

Commissioner Kottel moved to accept staff recommendations to approve the recommendations presented for *Secondary 225 – Bootlegger Trail* (Cascade County) and *MT 200 – Plains West* (Sanders County); Commissioner Griffith seconded the motion. All five commissioners voted aye.

Agenda item 7: Letting lists

Frazier said there are a few projects on the lists that are “iffy” because of right-of-way condemnation cases or other issues. The two projects that may slip are the *Angela-N&S* project on MT 59 in the January 2006 letting list as well as the *Hamilton-N of Woodside* project on US 93.

The August list has already been let and doesn’t need approval.

Chairman Kennedy asked if the projects that had been moved out had been reincorporated. Lynch said we spoke to the construction industry and they preferred to spread those projects out over several months rather than having one huge letting in October. There will not be a letting in October.

Commissioner Howlett moved to accept staff recommendations to approve the lettings for September, November and December 2005, and January 2006; Commissioner Espy seconded the motion. All five commissioners voted aye.

Educational component

Currie said at your next meeting we have to begin the process of setting our annual five-year Tentative Construction Program (TCP). On November 1st, we will be having a work session where you will set the funding plan and the project mix from a statewide perspective. That will be the basis for what we do a couple of weeks later in terms of actually setting the TCP on a project-specific basis. Today we will go over our asset management system and what’s behind the recommendations we will make.

I will start out with a bit of history. In 1991 when ISTEA was passed, it contained a requirement for state DOTs to develop management systems to help state DOTs determine the best strategy for spending federal transportation dollars. A few years later, in the National Highway System (NHS) act of 1995, Congress eliminated that requirement. All across the country, DOTs had been working on implementing these systems and the decision on the table was whether or not to continue the management systems. Some DOTs went forwards and some did not.

We decided in Montana that it was a worthwhile effort and decided to continue the management systems. The first one was a pavement management system. We have a very sophisticated pavement management system. We also have a congestion management system, bridge management system (PONTIS), and a safety management system that is oriented toward high-accident locations, but is moving toward a system-level view.. The information from all of these systems feeds into an umbrella system, the Transportation Information System (TIS). The TIS is the system that really waited for technology to catch up so we could actually operate the thing. We now can do some unique things with the TIS to help us make decisions on the ground where to do work and what that work should be. That includes the ability to “drive” down the highway in a virtual manner.

These management systems looked at individual components but didn’t give us the ability to combine them together and do “what if” analyses. A few years ago, we developed and instituted P³ (performance programming process). The information from the management systems and other information, e.g. economic development, is funneled into P³ and a staff person can then run “what if” analyses based on various levels of funding and various philosophies. It enables us to predict what the transportation system will look like.

Currie reflected on a conversation with a senator who was concerned about us doing work on what appeared to be a perfectly good road when another road appeared to be in desperate need of repair. At the time, we had adopted a preventive maintenance philosophy, similar to what you probably do on your car with regular oil changes and services. P³ shows clearly that by first maintaining the roads that are in good condition, over a 30-year planning horizon, the overall condition of the highway system improves. If we spend all our money on a worst-first basis, the condition stays about the same. This shows that the preventive maintenance philosophy is paying off for the state of Montana.

We are in the process of reconciling our TCP against the new federal highway bill, SAFETEA-LU. In particular, we are looking at our estimates. We are starting to see some increases in our projects because of the increases in fuel and steel prices and other factors. We need to make sure that our estimates are realistic so that we can estimate how much work we can get out and make sure the lettings proceed at a maximum level. We are going to be meeting internally over the next few months and looking at some “what if” analyses. Last year we had to assume funding levels; this year we know what they will be. We will look at project mix and allocations per financial district. We will run several of those and see which scenario will give us the optimum bang for our buck.

On November 1st, we will bring those to you and you will make decisions on funding levels/funding allocation plan and project mix. Once we have that, we will spend the next two weeks putting projects to the allocation and the project mix. The asset management system doesn’t pick specific projects; it is a tool for our district administrators and our engineers for making project selections.

We will reconvene the week of the 14th and have meetings for each financial district. The commissioners are invited to all the meetings but especially to the meeting for your district. The week will culminate in the meeting on the 18th when you will bless the tentative construction program for 2010. The program is pretty much set for 2005-2009. There may be some adjustments to the prior years, but the primary goal will be to add the projects for 2010. Commissioners have the opportunity to work with their district administrators in advance of these meetings.

Chairman Kennedy said he will call in on the 18th; he will not be able to be in Helena in person.

Commissioner Howlett said something that was helpful to me was to get in the car with the district administrator and get a visual on the projects that are proposed. Commissioner Espy said she has done that too.

Chairman Kennedy asked if that would then go to FHWA to be approved. Straehl explained that there is a definite sequence of actions: the Federal Highways approval comes as part of the STIP.

Straehl went through a PowerPoint presentation and provided the commission with several department brochures she would be referring to. She emphasized that we do these things not just to meet federal requirements but also to help us make decisions that make sense.

Straehl explained that there are various cycles with various actions and time frames, for example, the Statewide Long Range Transportation Plan operates on a five-year cycle, whereas the funding distribution plan and the STIP operate on a one-year cycle, and construction program delivery and monitoring systems are on-going.

The long range planning document was first adopted in 1994 and the second one was adopted in 2003. We heard yesterday that there are a whole range of new planning requirements as part of the new federal transportation bill that will be needed for projects after 2007. Our next major plan update will include all those requirements. The annual funding plan, which we will be discussing in the Nov. 1 work session, is based on optimizing performance through trade-off analysis. Straehl jokingly referred to this as the “no child left behind” plan; we can’t afford to have one district or one system superior to another district or system. We aim for an acceptable and desirable range; we can’t afford superior.

The STIP is another federal requirement, to be discussed after this agenda item. If you approve the STIP today, and if the federal government concurs, it will allow us to obligate federal money. The STIP covers all phases that we’re intending to obligate funds to, on a project-specific basis.

Another part of the cycle involves monitoring. We have monitoring systems as described by Mr. Currie. We use the management systems and we also monitor delivery. The baseline for performance in the asset management system is the delivery of projects in the existing construction program. It’s important that we deliver what’s in the plan because we will

never meet our performance targets if the baseline isn't delivered. We monitor delivery on a quarterly basis and compare what we said we would deliver versus what we are delivering.

The long-range transportation plan (LRTP) has a 20-year horizon. It is a policy plan and not a project-specific plan. This is different than the metropolitan areas, where the LRTP is a project-specific plan. The goals identified in the long range plan are linked to the construction program through the asset management system. If the plan was project-specific as opposed to a policy plan, this very large document would have to be updated about every two years, which is not practical considering that it costs approximately \$400,000 to produce.

Trends emerge when we do the transportation plan. For example, the demographics show that the population in the eastern part of the state is aging. This means that we will have to look at lifeline transit services and other things.

There are specific things that have to be looked at in the plan, but we can elect to focus on one or more items. For example, we have one of the highest fatality rates on our highways in the nation and safety has emerged as a top priority. We are working with other state agencies on a comprehensive safety plan right now that is linked to commitments made in the plan.

Commissioner Howlett asked if the meetings on the comprehensive safety plan would yield a printed product. Lynch said yes.

Commissioner Kottel asked if the commission established the seven policy areas in the plan. Straehl responded that the emphasis areas came out of the public involvement process and technical analysis, but that the commission and all department administrators were involved in the decisions. The public involvement consisted of public meetings in each district. We had two rounds, one to listen, and two to present possible strategies and gain input on those options. We made the opportunity available to the tribal governments; some took us up on it, some did not. We had a phone number and a web site by which people could ask questions or make comments. We also have a newsletter (the *Newsline*) with a distribution of 6,000. We briefed the MPOs in the TCC meetings. Previously we did not emphasize economic development. We are now looking at things that we could assist with in terms of economic development, e.g. how to increase the number of intermodal movements coming out of Montana since BN has stopped intermodal lifts in the state. We're looking to see if there's a way we can establish a 110-car shuttle for transloading movements between a Montana port and the coast.

The plan will probably be updated in the next three to four years, but we may do a small update before mid-2007.

The next slide, with the rainbow graphic, shows that our program has to be connected to the plan. This is a federal requirement. That linkage is through the asset management program. P³ focuses on preventative maintenance, congestion, and safety. It is a method to develop an optimal investment plan and measure progress towards strategic system goals. It is a continuous and systematic process. Straehl referred to a brochure developed for our legislators to explain P³.

Straehl referred to a graph to explain the preservation philosophy that promotes "the right treatment at the right time" – you can buy more with preservation work than you can by waiting until you have to do reconstruction work. The management system, using data from thousands of sample sites, can estimate when a new road will need certain maintenance activities based on the traffic volumes and weather cycles. What we do is ask P³ if we provide certain amounts of monies to certain systems what we can accomplish. The process is iterative: A planner in Helena does hundreds of runs to obtain the most comprehensive plan.

We set different goals for each system regarding levels of congestion, quality of ride, and so on.

- The first step is to estimate future funding. We are working with economists to estimate the impacts of the hurricane, the increased fuel prices, the shortage of concrete, and the inflation rate to see if we have to deflate or inflate our project estimates. It's possible that by the time we factor these items into the program that there may not be much money left for 2010.
- We will give you recommendations for an investment program that is the best we can afford. It may be based on other considerations besides the asset management system, for example, several years ago, the commission at that time was concerned about the need for new interchanges on the interstate. They asked us to reserve \$10 million per annum for interstate capacity expansion. This is a policy direction that will influence the recommendations we will bring to you.
- To hold performance standards, we have to have increased funding coming in; the money buys less over time. It costs more to fund certain types of improvements than others, for example, it costs more to address congestion on the NHS system than pavement on the interstate system. Why? On the interstate, you can't have to buy right-of-way, you don't have to move utilities, and you probably don't have to do an EIS, whereas on the NHS, you probably will have to do all of those three things.
- Our goal for bridges is to reduce the number of structurally deficit/functionally obsolete bridges. The bridge annual budget is \$25.5 million. The PONTIS system showed us that that amount of money was not enough to achieve that goal, so we moved some money around.

We aim to avoid “spikes” in the program because it cannot respond quickly enough to absorb those.

Straehl explained that federal money comes to us in “silos” or categories. There are provisions for transfer of funds between the categories. We make transfers to even out the performance on the whole system. Whereas in 2003 we aimed to cap preliminary engineering (PE) costs at 13%, this year will call for hard decisions regarding construction costs because of the recent increases in oil, steel, concrete, etc.

The Statewide Transportation Improvement Program (STIP)

Each project has a flowchart that estimates the time cycles for different phases of the project along with funding estimates. The STIP is our disclosure document to the public that shows all this information. We hold public meetings, we have an 800 number, we have a website, and we have a newsletter, that we use to get the information out to the public.

Commissioner Griffith said he understood the need to have performance goals but that it could lead to leaving people out: there is a different performance standard for landscaping and the completion of a highway in the Butte district because of past practice, compared for example, to the way it's done on US 93. I think that needs to be corrected. I look at the project that we did on the weigh station. We put concrete on the cut sections, which is how old Butte did things. We need to step up – some of the worst areas on entrances to the community are on highway right-of-way.

Because of time constraints, Chairman Kennedy stopped discussion and said we would come back to the item.

Communication with local governments

Pondera County

Pondera County Commissioner Cynthia Johnson introduced herself, fellow county commissioners Joe Christiaens and Sandra Broesder, Pondera County Road Administrator John Stokes, and the Conrad Mayor Byron Grubb. We are all here about the Conrad project which is an interchange project (Conrad north interchange). That interchange is the only one that crosses the railroad tracks for the whole community of Conrad. An **overpass is needed in Cut Bank** to allow for emergency services to proceed, particularly on the east

side of town, when there is a train on the track. We have created some unique partnerships through working on this project between the city, the port authority, private landowners, and other local governments. We have a visit with Director Lynch on Monday to talk about the details of the earmark and how to proceed.

Chairman Kennedy asked if this project is in our system yet. Straehl said the \$4 million earmark has not been incorporated into the program yet because of the recent passage of SAFETEA_LU.

Commissioner Griffith asked how many trains come through Cut Bank a day.

Commissioner Johnson said there are 13 regular trains a day, and even though Burlington Northern makes an effort to keep the tracks from being blocked, there are times when the crossings can be blocked for up to 20 minutes.

Liberty County

Liberty County Commissioner Ed Diemert said we had Jim Lynch in our office a few weeks ago. We know the department is concerned about pavement. We have a couple of gravel roads maintained by the county. We are running out of gravel in our county: is it becoming scarce and costly. We are starting a process of using a **base stabilizer** on a limited basis on our county and secondary roads. Once applied, it hardens the road and helps preserve the gravel. The road requires less maintenance which keeps costs down. We would like to throw this out as an idea and get some help on the secondary roads which are gravel. We fully understand that the potential for them to be paved is limited. In our experience, using the base stabilizer has cut down grading to once a year.

Chairman Kennedy said Director Lynch has agreed to come to the MACO convention and do a workshop; that will provide folks another opportunity to visit with him..

Currie commented on the treatment. It sounds intriguing to me. => One thing we need to do – if your intent is to use federal secondary funds for this – is to make sure we run this by FHWA and make sure it's Federal-aid eligible. Lynch said as our construction costs increase, our counties are not going to get ahead. We need to look at the non-paved roads and see what we can do to help maintain those, because they will continue to be a reality in Montana. => Lynch said we will follow-up on this. We will get the federal perspective when we next meet with Jan Brown and Mike Duman.

Commissioner Howlett said he was encouraged by this discussion. It is particularly relevant to our communities that are rural and affected by dust, and also to areas that are classified airsheds but where there's not money to get roads paved.

Representative Carol Juneau, House District 16

Representative Juneau welcomed the commission and staff to East Glacier and the Blackfeet Reservation, and thanked the commission for this time to speak. She wanted to go on the record to support safety and appreciates any efforts to improve safety, such as widening roads and winter maintenance activities. Thank you for the bridge across Two Medicine [River] out here. Thank you for the overpass in Cut Bank. I support 4 for 2 and Senator Sam Kitzenberg in developing a four-lane across the hi-line.

The road from Browning to Kiowa camp was built in c. 1920. It is narrow and we need that improved for safety and access.

The Meriwether road (which goes north out of Cut Bank) has about seven miles of gravel and it needs to be paved. It would be a good access road for people coming in from Canada to come into our community and our state.

I know that the state and Glacier has been working on keeping the Looking Glass Highway open. We call it "poor mans Logan." It is a beautiful road and we have to keep it open.

Browning is building a new high school and, right across the road, a new tribal casino. We will need a lot of access there and a lot of safety there to accommodate the increased traffic. I would encourage a stop light there. I would encourage a stoplight by the college. You've

put a safety light there; it's not enough. The college has facilities at both sides of the highway.

When you bring money into a local community, you need to hire local people. Our community up here – the Blackfeet Reservation – has one of the highest unemployment rates in Montana. Highways go through every reservation and community: employ our local people when you work. One of the things I would encourage you to do is to set up a relationship with the Department of Public Health and Human Services TANF program and see if you can employ TANF families or provide work experience for TANF families.

I would encourage you also to employ as many Indian people as possible within your agency. The state of Montana is one of the largest employers in the state, yet only 2% of their employees are Indian people. Indians make up 7% of the population. We can do better.

Senator Glenn Roush, Senate District 8

Senator Roush welcomed the commission and the personnel from the highway department. He shared an observation that yesterday there was only one patch of snow left on the mountains. There are no glaciers left on the east side of the park. That's not a highway problem, it's a climate problem.

The Looking Glass road regularly sloughs off. The community here needs this road for the tourist traffic. Instead of "band-aiding" that road, I suggest you relocate the road. I understand that there are three jurisdictions involved.

One of the biggest things I get calls on is the rest stop at Dutton. Why has it been closed so long? It's the only rest stop between Sweet Grass and Great Falls. It's time to get that rest stop open.

Senator Roush said he wouldn't beat the 4-for-2 issue beat to death. If you're not going to build a four-lane up to East Glacier, you need to put in more passing lanes. Between June and October, we see enormous tourist traffic on that road. I'm glad to see US 2 between Cut Bank and Browning getting reconstructed. I hope you finish that before you start on the next project, so we don't have twenty-some miles of road torn up at one time. We need passing lanes on this road. There are farmers using agricultural equipment and a lot of haying going on, and we need more passing lanes. He suggested a spacing of one passing lane every four or five miles.

In the winter time, we are lucky to get the roads open because of the weather conditions. I urge you to support keeping Amtrak open. There is no bus service, so Amtrak provides the only east-west public transportation for us.

Senator Roush expressed his high admiration for Mr. Johnson as the administrator for this district. There hasn't been once that I haven't been able to talk to Mick and get answers. He has been very good to work with and very responsive. I want you to know that he's very much appreciated.

Ron Alles, Lewis & Clark County

Alles thanked the commission and MDT staff on behalf of Lewis & Clark County, the city of Helena, and Jefferson County, for the I 15 corridor implementation and the Marysville Road implementation. I'm glad to have been here for the previous presentation on the asset management system and I'm intrigued as to its applicability to local government and how we might apply the concepts to the 1,400 miles of road we have in the county. I think it would be prudent for us to take a more systematic approach rather than what tends to be a reactive approach.

Commissioner Griffith asked about informational signs in Helena. Alles said it could be related to the community looking at the road with three names (Last Chance Gulch, Main Street, and Cedar Street) and possibly renaming it. I suspect you will be receiving a letter from the county supporting that action.

Denis Smith – Senator Conrad Burns' office

Smith said my number one issue for the Senator is transportation: moving people and goods in and out of the state. The MDT team does an awesome job. I come to as many commission meetings as possible so I can learn about local issues and needs for funding.

Discussion

Currie said the problem with the Looking Glass road is not on the Federal-aid system. It's an orphan road. A few years ago when the road slid off the hill, at that point in time, MDT didn't have jurisdiction on the road. We were opening up the road in the spring, but with no formal authority. We worked to try and get the Park Service to take the road (since they originally built the road) and asked the Looking Glass road to be put on the state maintenance system. This means that Mick can send his people out to patch it and blade it and keep it open. However, it's not on the Federal-Aid system so we can't spend construction dollars on it. At this time we have no long-term fix for reconstructing it.

Chairman Kennedy said Loran took us out over the Looking Glass highway last night and the commission is well-versed on the road and expressed appreciation to Representative Juneau and Senator Roush for bringing it up to us today. We also looked at the St. Mary's bridge and projects from here to Cut Bank, where the new high school is and where the new casino and the IGA will be, and the project in Conrad. He thanked Commissioner DeRosier for accompanying us yesterday and pointing several things out to us.

Commissioner Howlett wanted to follow-up with Representative Juneau's comments regarding the new construction in Browning and the need for access and safety. We need to be proactive in planning for these things rather than waiting until they're built, e.g. sidewalks around the facilities. => Howlett asked for a report at the next meeting.

Director Lynch said the school and casino in Browning are no different than Home Depot locating to Helena. They will proceed under the requirements for development. Johnson said we have meet with two school boards, and our safety people have been up to assess the needs for traffic lights. We are trying to stay in touch here.

Stan Juneau, a member of the board of trustees for School District 9, said we were told that the state wouldn't pay for the study. We have taken \$10,000 of the budget to give to the consultant to do this transportation study. We felt the state should provide the money but they wouldn't do it. Chairman Kennedy confirmed with Lynch that whoever is putting in the development is required to fund the study. From the results of the study, we require the developer to mitigate the impacts to the highway system.

Howlett said there seems to be a big difference between a school district and Home Depot. => I'm asking at the next meeting for some evidence of what has taken place and what is planned for the future. I would like to be proactive in whatever involvement this department has.

Chairman Kennedy thanked the county commissioners and other elected officials for coming today and giving their input.

Agenda item 6 (continued): Special speed zones

MT 200 – Trout Creek

Frazier said we did a speed study in August 2004 and the results were finalized in December 2004. A brief history of the area: we looked at the area in 1969 and the speed limit that was set then. It was reviewed again in 1976, 1981 and 1995, all resulting in the same recommendation (no change). The community is not happy with that. A letter from Sanders County expresses their opposition to the department's recommendation. Chairman Kennedy read a portion of the letter from Sanders County, including their request for an immediate temporary special reduction in accordance with MCA 61-8-309.

Lynch distributed an e-mail from Senator Jim Elliot. He said he'd received calls from the community during the Huckleberry Festival requesting a temporary reduction to 35 mph during the duration of the festival. We accommodated their request and sent personnel out

to sign the changed speed limit. I received feedback from the community that it made a definite impact on safety for pedestrians and motorists; they were very grateful.

Commissioner Howlett said this issue has been before the commission several times and I would like to resolve it and bring some finality to it. The locals want a 35 mph speed limit through the community of Trout Creek. I feel that what the people who live there want really matters a lot.

Commissioner Howlett moved to adopt a 35 mph speed limit through Trout Creek; Commissioner Espy seconded the motion. At Commissioner Kottel's request, Frazier clarified items on the map: the blue line is 70 mph; there is no step down to the 35 mph. Howlett asked about a slow down. Frazier said we recommend a 500 foot transition per 10-mile increment. Lynch suggested the commission give the department the latitude to do the step-down. Currie clarified that the motion is to have 35 mph through the community, with step-ups to 70 mph on either side of that. Commissioner Howlett said yes, as did Commissioner Espy. All five commissioners voted aye.

US 93 – Elmo

A delegation was present to express their opposition to the department's recommendation. Francis Auld expressed his opinion that the 45 mph should be extended further out, at least to Alexander Lane to the south, and Highway 28 to the north. He said one thing that wasn't brought up is the lights that are installed permanently but only used for two or three days a year for the pow wow. Why aren't they used more, especially during the dark days of winter, or for the nine months of the school year?

Mike Kenmile, a member of the Tribal Council, said he used to be a resident of Elmo and lived adjacent to the highway and has recently moved east about seven miles. Being that close to the highway you actually hear the trucks and cars going by. I've observed the kids trying to cross the highway, ages 4,5,6. they are taught by their parents to wait until the highway is clear before they cross. They stood there about a half an hour until I went down, stood in the road, and waited for the cars to stop (they ignore the "stop when occupied" signs) so that they could cross.

Frazier said our guys did not recognize the school when they were doing the study. Because of that, we can reduce the speed by 20 percent through the school zone to 45 mph.

Commissioner Howlett said he deliberately drove around Flathead Lake last weekend and no other community on the lake has these sorts of speed limits. Commissioner Howlett moved to set the speed limit on US 93 through Elmo at 45 mph between Alexander Lane and the junction with highway 28, at 55 mph on US 93 north from the junction with Highway 28 to mile marker 78, and 55 mph on US 93 south from Alexander lane to mile marker 76; Commissioner Griffith seconded the motion. Commissioner Espy agreed with the motion but reiterated the point that without enforcement, the limit may be of no use. All five commissioners voted aye.

=> Chairman Kennedy asked Director Lynch to send a letter to the governing bodies and the enforcement agencies to let them know we are making the changes and put the onus back on them to do the necessary enforcement.

Agenda item 1: 2006-2008 Statewide Transportation Improvement Program (STIP)

Straehl said the STIP is a federal requirement. It portrays the projects that are moving across phase lines into the next phase of development and anticipates the dollar amounts we'll be obligating to those annually. The specific dollar amounts are not shown in the public document; estimated project costs are shown in terms of ranges. This is a three-year program that we must have in place in order to obligate federal funds. It shows all Federal transportation funds that come to the state of Montana, including those that go through the Federal Lands Highway programs, the Indian Reservation Roads programs, and the transit funds that come to the state, including those that are managed by the state and those that go

to the urbanized areas, and by reference includes the TIPs from the metropolitan areas (Billings, Great Falls and Missoula).

Chairman Kennedy said there was a difference from his area between the TIP and the long-range plan, but we're working it out. Straehl said as soon as the appropriate local actions are taken, the projects will be brought to the commission for inclusion into the STIP (via the STIP amendment process).

Commissioner Espy moved to accept staff recommendations to approve the 2006-08 STIP; Commissioner Kottel seconded the motion. All five commissioners voted aye.

Follow-up to Commissioner Griffith's concerns

Currie said there is one last loose end that needs to be tied up. This is the first time a Butte guy has asked me to plant flowers! In all seriousness, what we're talking about is context-sensitive design. We allow the local communities to drive that. If the community asks for certain amenities, that's what we do. To be honest, I'm perplexed about what happened in Butte. We are committed to context-sensitive design. We will work with the local communities to make sure that our highway improvements doesn't take away from their community, culturally or in terms of natural resources, etc. I understand from Commissioner Griffith that Butte is going through a transition in terms of how they approach their community aesthetics and we would be glad to work with them on this.

Chairman Kennedy asked if there is any cut-off for these additional expenditures, where we tell communities they can't spend any more money? Landscaping ultimately needs to be maintained. I hope we use common sense on this. Commissioner Espy asked if communities don't use CTEP money to do some of the beautification. Currie said that is correct. For example, on the North Reserve Street project in Missoula, we used CTEP and CMAQ funds to put in the bike/pedestrian path. We are sensitive to the cost of those things and balance it the best we can. Chairman Kennedy asked about the "welcome to" signs inscribed in sandstone located in the right-of-way. Frazier said he's instructed our sign committee to come up with some guidelines for these types of signs, and unfortunately those were not ready for this commission meeting. Chairman Kennedy expressed concern about the safety and liability aspects associated with sandstone signs. Frazier said the guidelines will cover that. Allowing this will be a change from the direction we've taken over the past decades, which is to keep the interstate right-of-way clear of any encroachments.
=> Chairman Kennedy asked Frazier to look at signage for the Lewis & Clark expedition celebrations. It's become a big item and, for example, at Pompey's Pillar, they would like some signage.

Commissioner Griffith said he understood the difference between a CTEP project and a project that ought to be done with certain elements. There are three cuts on the way into Butte as part of the rest area project that were covered with concrete instead of vegetation. This wasn't a question of the right vegetation; this was a question of no vegetation whatsoever. I believe we have a moral responsibility to present a certain environment to our communities.

Lynch said we should design highways that are aesthetically pleasing, especially where they come into communities. Reardon said the federal government has had some foresight in this area, and the Code of Federal Regulations includes provisions for roadside management and landscaping. Those guidelines and procedures are there in federal law.

Commissioner Espy said the other thing we have to remember is that communities often want the landscaping, and the highway department puts it in. Sometimes there is a garden club that is willing to maintain it, but that doesn't often happen. What usually happens is the department maintenance personnel have to maintain the landscaping, or a group of community volunteers who have to be supervised. This is something for a community to think about.

Duman said we struggle with this quite often. There are different definitions of beauty and we are trying to broaden the horizons.

Agenda item 8: Certificates of completion

Commissioner Griffith moved to accept staff recommendations to approve the certificates of completion for June 2005; Commissioner Espy seconded the motion. All five commissioners voted aye.

Agenda item 9: Liquidated damages

Frazier said we were expecting a delegation from Westway Construction however no one was present. The commission took no action therefore the liquidated damages stand.

Update: A representative from Westway Construction arrived after the meeting was adjourned. The commission will allow this issue to be reheard at their next meeting (November 1 in Helena).

Agenda item 10: Change orders

The cancellation of the Highway 323 contract was done by change order. That is the reason for the large negative change order amount showing for July 2005.

Commissioner Howlett moved to accept staff recommendations to approve the change orders presented for June and July 2005; Commissioner Griffith seconded the motion. All five commissioners voted aye.

Agenda item 11: Commission discussion

Chairman Kennedy said yesterday during the tour, we saw an innovative snow fence built by one of the MDT crews. The governor has emphasized the importance of doing things differently in a cost-effective manner. We were very impressed with the use of old concrete guardrail posts to form a snow fence that is visually attractive. This was a very creative use of waste materials for a safety project. Chairman Kennedy asked Director Lynch to put these folks forward for the governor's award for efficiency and innovation. Mick Johnson thanked the commission for the recognition and promised to provide photos.

Commissioner Kottel moved to direct the Department of Transportation to prepare and advance a nomination of the crew members involved to the governor's office;

Commissioner Espy seconded the motion. All five commissioners voted aye.

Commissioner Espy recommended a picture be taken of the snow fence.

Old business – Danford Drive

Reardon said the hearing was conducted on August 22 in Yellowstone County. A number of people attended, mostly residents of Danford Drive. The meeting was noticed in the Billings Gazette and notice was also sent to the Yellowstone County Commission. No one appeared in opposition, and no written comments of opposition were received. I have the formal order of abandonment if you would please sign it. Once signed and notarized, we will file the original with the clerk and recorder of Yellowstone County and notify the appropriate landowners that they are now the proud owners of what they thought they owned for the last 35 years and Yellowstone County can once again collect what I'm sure amounts to about \$40 a piece from these people for the rest of the year. Reardon requested the commission formally vote on the abandonment and authorize the chairman to execute the document. Commissioner Griffith made the motion as requested; Commissioner Espy seconded the motion. Chairman Kennedy noted that the hearing had lasted all of about five minutes. All five commissioners voted aye.

Two Medicine Bridge

Frazier displayed conceptual images of two different potential options for the Two Medicine bridge, one concrete and the other concrete and steel. Johnson said the bridge has been through the public involvement process and we are having a consultant design both bridges for us. Our engineering bridge staff will make a selection based on cost and other factors.

Upcoming meetings/workshops of interest; cost of traveling

Lynch said the commission's meetings outside of Helena have been great but we need to look at costs. This meeting we used a state motor pool van rather than a coach. With skyrocketing fuel costs, state personnel have been directed to curtail travel to the absolute

minimum. I visited with the governor about having meetings outside of Helena and we concurred that as many meetings as possible should be held in Helena using the polycom equipment that we have in the districts. I understand Chairman Kennedy is amenable to bringing the December meeting from Red Lodge to Helena. Commissioner Griffith said he was amenable to bringing the September Anaconda meeting to Helena as well.

Chairman Kennedy – if we do a spring and fall meeting on the road, it will probably be a two-day meeting and attempt to take in as many projects as possible. Next year we would visit the Billings district and the Butte district, and the rest of the meetings would be in Helena.

The commission agreed that they need to set the example in curtailing travel.

=> Chairman Kennedy suggested putting something on the MACO site to invite commissioners to come to Helena. We could also allow them to participate remotely using the polycoms in the districts. I would like to keep the local government participation, which I've seen increase this year.

Commissioner Griffith agreed with setting the example but, to Commissioner Kennedy's credit, noted that we have had more public participation by traveling. If there is an opportunity to get back out, I think we do a better job by getting out there.

=> Lynch offered to accompany the commissioners individually with the district administrators and view the roads in each districts. Commissioner Espy noted what a morale boost it was for Lynch to present service awards in the district. We got press coverage for that. In this time of economic necessity, we need to get good news out about the Department of Transportation.

Chairman Kennedy said that for the next meeting, we are close enough to Butte to take a tour from Helena. => He asked staff to get with Rick Griffith to make arrangements.

All three of the rest of the commission's meetings for 2005 will be in Helena. At our November meeting, we will look at the calendar for 2006 and get those meetings scheduled. Chairman Kennedy said I would like to get to every district over a two-year period, which may mean we have to travel to three districts every other year.

Currie said that the condition of the state special revenue fund is of even more concern than the travel situation. With the higher fuel prices, I do believe this is going to start impacting people's ability to drive. If people travel less, our gas tax income is reduced. I do have staff working on a contingency plan if the fuel tax revenue does go down. Lynch explained that we are always 30 days behind because of the way the gas tax is collected. He referred to an AASHTO survey which was done prior to gas hitting \$3 per gallon.

=> Chairman Kennedy asked Demont to send out an e-mail with the dates and locations of the meetings for the remainder of 2005.

Lawsuits

Reardon said we have been sued by Kerry Gray and Highway Specialties regarding the liquidated damages. We have also been sued by Frost Construction, the contractor we terminated on the Highway 323 project. We have also been sued on the *Albion-North & South* project.

Beartooth

Lynch said the Beartooth is going well. Looks like we will meet our October 15 deadline. We will probably have some work to be completed in the spring off the highway.

=> We will let you know when we have the opening of the highway. Chairman Kennedy said he would like to take a drive through.

Agenda item 12: Public comment

Mike Tatsey, director of water resources for the Blackfeet Tribe, wanted the commission to know, from the tribes' perspective, how important it is to them to get the St. Mary's bridge project underway as soon as possible. I'm also on the St. Mary's workgroup and represent the tribe on that project. The canal rehab project is important to us too. We have done a lot of work in the Boulder-Swift current area. There is a lot of old information that needs to be looked at and we need to be careful we don't duplicate the work that's already been done. There's a lot of engineering work that's already been done and can be dusted off and help us move this project along quickly.

Chairman Kennedy thanked Mick and Loran for the tour yesterday.

The meeting adjourned at 12:18 pm.

Bill Kennedy, Chairman
Montana Transportation Commission

Jim Lynch, Director
Montana Department of Transportation

Lorelle Demont, Secretary
Montana Transportation Commission